

Attorney Docket No.: TRNSV-013BC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Makower, et al.)
)
 Application No. 09/710,332)
)
 Filed: November 9, 2000)
)
 For: Method and Apparatus for)
 Transmyocardial Direct Coronary)
 Revascularization)
 _____)

Art Unit: 3738

Examiner: Isabella, D.

Mail Stop Non-Fee Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Transmittal Letter

Dear Sir:

- ☐ In accordance with Rule 136, the Commissioner is hereby petitioned for a __ () month extension of time, extending to _____, 2004 the period for response to the Office action dated **April 1, 2004**.
- ☐ Enclosed is a certified copy of Serial No. _____ from which priority is claimed in the subject case pursuant to 37 CFR § 1.55b and 35 U.S.C. § 119.
- ☐ Enclosed is an Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40.
- ☐ A Declaration of Inventorship and Limited Power of Attorney is enclosed.
- ☐ A Certificate of Ownership and Power of Attorney is enclosed.
- ☒ Enclosed herewith is a reply to Notice of Non-Compliance for filing in relation to the above-identified application. Entry and consideration of this reply to Notice of Non-Compliance is requested.

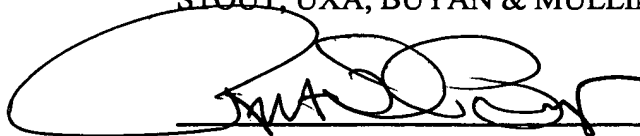
- ☐ Check No.---- is enclosed covering the additional filing fees in the amount of \$____.00, with the fees calculated as follows:

	(Col. 1) Claims Highest No. Remaining After Amendment	(Col. 2) Previously Paid For	(Col. 3) Present Additional Extra	Small Entity Additional Rate	Fee	Other than a Small Entity Rate	Fee
Total claims	12	- 82	= 0	x 9	\$	Or x 18	\$
Independent claims	1	- 4	= 0	x 42	\$	Or x 84	\$
First presentation of multiple dependent claims			+ 140	\$		Or + 280	\$
			Total	\$		Or Total	\$

- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.

Respectfully submitted,
STOUT, UXA, BUYAN & MULLINS, LLP

Date: May 3, 2004




Robert D. Buyan, Reg. No. 32,460

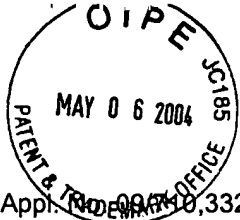
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 3, 2004.

Dated: May 3, 2004

By: 
Francine Sanders, Assistant



Appl. No. 09/710,332
Amdt. Dated May 1, 2004
Reply to Office Action dated April 1, 2004
Atty. Dkt No. TRNSV-013BC

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Alexandria, VA 22313-1450

REPLY TO NOTICE OF NON-COMPLIANCE

DATED APRIL 1, 2004

Sir:

In response to the Notice of Non-Compliance dated April 1, 2004, please substitute the following for the previously filed amendment/response:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 25 of this paper.